

Message Text

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11

ORIGIN EA-10

INFO OCT-01 ISO-00 L-03 COME-00 EB-07 H-02 CIAE-00 INR-07

NSAE-00 /030 R

DRAFTED BY EA/IMS:ARDORNHEIM:CCH

APPROVED BY EA/IMS:EDWARD C. INGRAHAM

EA/J - MR. SMITH (PHONE)

L/C - MR. HENDERSON

L/EA - MS. VERVILLE

----- 040547

R 231857Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

INFO AMEMBASSY TOKYO

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E.O. 11652: N/A

TAGS: CPRS, EINV, ID

SUBJECT: FOREST PRODUCTS CORP. COMPLAINT

REF: STATE 162903

1. PEDERSEN CALLED EA/IMS JULY 22 TO REPORT HIS TELEPHONE CALL PREVIOUS DAY WITH SOELISTIO. LATTER STATED HE HAD NOT YET BEEN CONTACTED BY ANYONE FROM EMBASSY. PEDERSEN SAID HE AND JAMES ROOSEVELT PLAN TO BE IN WASHINGTON NEXT WEEK AND WISH TO DISCUSS WITH DEPARTMENT OFFICERS, AMONG OTHERS, WHAT THEY MIGHT DO NEXT. TEXAS CONGRESSMAN ARCHER'S STAFF HAS ALREADY BEEN GIVEN DOCUMENTS. THEY WILL ALSO SEEK TO TALK WITH ADIWOSO OR OTHER INDONESIAN EMBASSY OFFICERS.

2. PEDERSEN REITERATED HIS DESIRE TO HAVE JULY 1, 1971 AGREEMENT REVALIDATED BY DIRECTOR GENERAL OF FORESTRY
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SOEDJARWO. (REVALIDATION WOULD NOT CAUSE FOREST PRODUCTS TO DROP ITS SUIT AGAINST MITSUI, ALTHOUGH IT MIGHT AFFECT DAMAGES SOUGHT). PEDERSEN NOW SUGGESTS, HOWEVER, THAT EMBASSY NO LONGER TRY TO SEE SOEDJARWO BUT MAKE REPRESENTATION

TATIONS TO EITHER MINISTER OF AGRICULTURE OR HIS SPECIAL ASSISTANT, GENERAL PANG SOEPARTO. (PEDERSEN HAS PROVIDED COPY OF JUNE 19, 1973 LETTER TO HIM FROM INDONESIAN LAWYER

DR. SUDARGO GAUTAMA, WHO REPORTED SOEPARTO'S WILLINGNESS TO HAVE SOEDJARWO'S FEBRUARY 19, 1973 CANCELLATION ORDER AMENDED, IF TWO COURT DECISIONS OF JUNE 13 AND 27, 1972 WERE WITHDRAWN. SOELISTIO MAY 9, 1973 LETTER TO PEDERSEN REPORTED SOEDJARWO'S PROMISE TO REVOKE HIS CANCELLATION ORDER IF TWO COURT DECISIONS WERE ANNULLED. HOWEVER, PEDERSEN CAN PRODUCE NO WRITTEN EVIDENCE COMMITTING SOEPARTO AND SOEDJARWO TO SUCH ALLEGED ORAL AGREEMENTS).

3. WALL STREET JOURNAL RAN STORY ON SUIT AGAINST MITSUI JULY 8.

4. EMBASSY REQUESTED CONTACT SOELISTIO TO REVIEW SITUATION PER REFTEL, AND AFTER CONSULTATION WITH HIM, DECIDE WHETHER TO SEEK APPOINTMENT WITH EITHER SOEPARTO OR MINISTER THOYIB. SHOULD BE STRESSED TO SOEPARTO/THOYIB THAT WHILE EMBASSY CANNOT SPEAK TO LEGAL EFFECT OF INDONESIAN COURT DECISIONS OVERTURNING JUNE 13 AND 27, 1972 DECISIONS, HE SHOULD BE AWARE FOREST PRODUCTS COULD MAKE PLAUSIBLE CASE IN WASHINGTON THAT INDONESIAN GOVERNMENT UNABLE OR UNWILLING ENFORCE DECISIONS OF INDONESIAN COURTS. CONGRESSMEN, SOME OF WHOM ALREADY AWARE OF SEA OIL/SULLIVAN ARGUMENT THAT IT IS FUTILE TO HAVE RECOURSE TO INDONESIAN COURTS, WOULD ONLY DEVELOP MORE NEGATIVE VIEW OF INDONESIA.

5. SOEPARTO/THOYIB SHOULD BE ASKED FOR VIEWS ON CASE AND SHOULD BE URGED TO HAVE DIRECTOR GENERAL SOEDJARWO ANSWER SOELISTIO'S APRIL 23 LETTER AS SOON AS POSSIBLE.

6. LOOKING AHEAD, DEPT WOULD APPRECIATE IT IF EMBASSY WOULD QUERY LOCAL LAWYER OTHER THAN SOELISTIO AND GAUTAMA
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CONCERNING RANGE OF LOCAL LEGAL OR ADMINISTRATIVE REMEDIES, IF ANY, AVAILABLE TO FOREST PRODUCTS IN PRESENT CIRCUMSTANCES. KISSINGER

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<< END OF DOCUMENT >>

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